IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 25095 of 2004

Between:

Durga Bhavani W/o M. Narayana Murthy
O/o Area Manager, BSNL., Saroornagar, Hyderabad

..... PETITIONER

AND

1 The Deputy General Manager, BSNL., Saroornagar, Hyderabad
2 The Deputy Engineer, BSNL., Vanasthalipuram, Hyderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in imposing the punishment of stoppage of 1 increment without cumulative effect for a period of two years, as illegal, arbitrary and consequently set a side the impugned order in proceedings NO. DE(Extl) VSPM/DC/03-04 dt 14-08-2003 passed by the 2nd respondent and further direct the respondents to release all the increments which are due to the petitioner.

Counsel for the Petitioner : SMT.K.RAJYA LAKSHMI

Counsel for the Respondent Nos.1 & 2: STANDING COUNSEL FOR BSNL.

The Court fat the stage of admission, made the following :

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ORDER:

This writ petition is filed to issue a writ of mandamus by declaring the action of the respondents in imposing the punishment of stoppage of one increment without cumulative effect for a period of two years as illegal and arbitrary and consequently to direct the respondents to set aside the impugned order dated 14.8.2003.

The grievance of the petitioner is that she filed an appeal before the Area Manager and Appellate Authority, BSNL dated 15.10.2003, but no orders have been passed. The appellate authority has to take appropriate decision and pass necessary orders on the impugned proceedings issued by the disciplinary authority dated 14.8.2003.

Accordingly, the writ petition is disposed of directing the respondents to pass appropriate orders on the appeal filed by the petitioner, within two months from the date of receipt of a copy of this order. No costs.

31.12.2004

NOTE: Furnish C.C within two days.

(b.o)

bsv

To

1 The Deputy General Manager, BSNL., Saroornagar, Hyderabad
2 The Deputy Engineer, BSNL., Vanasthalipuram, Hyderabad

3 2 CD copies